

BEFORE THE

## Federal Communications Commission

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WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b)

Table of Allotments

FM Broadcast Stations

(Fort Bridger, Wyoming and Woodruff, Utah)

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)  
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MM Docket No. \_\_\_\_\_

RM- \_\_\_\_\_

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau**PETITION FOR RULE MAKING**

M. Kent Frandsen ("Frandsen"), permittee of FM radio broadcast station KNYN, Fort Bridger, Wyoming ("KNYN"), by his attorneys and pursuant to Section 1.420(i) of the Commission's Rules, hereby petitions the Commission for the reallocation of Channel 256C1 from Fort Bridger, Wyoming to Woodruff, Utah and modification of the KNYN license to specify Woodruff as the community of license. Frandsen's proposal is as follows:

Channel No.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Fort Bridger, Wyoming	256C1	-----
Woodruff, Utah	-----	256C1

Frandsen will apply for the channel if it is reallocated to Woodruff.

**Introduction**

A station's authorization may be modified to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest. This modification may be made so long as the proposed allotment is mutually exclusive with the

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licensee's present assignment. See 47 C.F.R. § 1.420(i); *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990). Because this proposal does not involve a site change, this proposal to reallocate Channel 256C1 to Woodruff, Utah is mutually exclusive with the current allotment of Channel 256C1 at Fort Bridger, Wyoming. Consequently, Frandsen may petition the Commission to reallocate Channel 256C1 to Woodruff without affording an opportunity to other parties to file competing expressions of interest in the Woodruff allotment.

Amending the Table of Allotments to reallocate Channel 256C1 from Fort Bridger, Wyoming, to Woodruff, Utah will serve the public interest, convenience and necessity by providing Woodruff with its first local transmission service. As set out below, this proposal also satisfies the Commission's FM allotment priorities, technical requirements and "community" requirement.

### **Discussion**

#### **I. This Proposal Complies With The Commission's The FM Allotment Priorities and Technical Requirements.**

Frandsen's proposal to change the Frandsen is not proposing a change in the transmitter site for KNYN, only a change in the city of license from Fort Bridger, Wyoming, a non-census designated place, to Woodruff, Utah, a census designated place, in order to provide Woodruff with its first local service. Consequently, there is no gain or loss in coverage or population. In addition, since KNYN is not on the air, there is no actual loss of service to Fort Bridger. The Commission itself noted, in a different proceeding for which Frandsen is concurrently requesting dismissal, "[s]ince Station KNYN(FM) is not on the air, the reallocation would not result in the

removal of an ‘existing service’ at Fort Bridger.”<sup>1</sup> This proposal does not deprive Fort Bridger of its only existing local aural transmission service and results in a net service benefit for the communities involved, pursuant to the Commission’s FM allotment priorities, because it provides first local service to Woodruff, Utah with no loss in coverage or population.<sup>2</sup>

The site, as demonstrated in Exhibit A, attached hereto, meets all the spacing requirements set out in Section 73.207 of the Commission’s Rules. In addition, the entire city of Woodruff, Utah receives service from the reference coordinates at maximum facilities, as is required by Section 73.315 of the Rules.

## **II. Woodruff, Utah Is A “Community” For Allotment Purposes.**

Woodruff, Utah is a “community” for allotment purposes. According to the 1990 U.S. Census, Woodruff is defined as a town and has a population of 135 people in 66 households. Woodruff is located in Rich county, which has a population of 1,725, and is not located within any urbanized area. Woodruff has its own local government, made up of a mayor and city counsel. Woodruff has its own United States Post Office and zip code. It also has its own local fire department, several local businesses and a Church of Jesus Christ of Latter Day Saints which has close to 500 members. Woodruff also hosts a parade and rodeo every Fourth of July, attracting large crowds from the surrounding areas. Thus, it is clear that Woodruff is a community. In contrast, Fort Bridger is not an incorporated city and has no elements of a community. Thus, reallocating the channel to Woodruff is clearly a preferred allocation of channels.

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<sup>1</sup> *Notice of Proposed Rulemaking, Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Fort Bridger, Wyoming and Hyrum, Utah)*, MM Docket No. 99-232, RM-9321, released June 25, 1999.

<sup>2</sup> *Id.*; *Revision of FM Assignment Policies and Priorities*, 90 FCC 2d 88, 90-93 (1988).

**Conclusion**

For the foregoing reasons, it is respectfully requested that this proposed change to the FM Table of Allotments be adopted.

Respectfully submitted,

**M. KENT FRANDSEN**

By: 

\_\_\_\_\_  
David D. Oxenford  
JoEllen Masters

Its Attorneys

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(202) 663-8000

June 16, 2000

# TECHNICAL NARRATIVE

This technical showing is prepared to support a proposal to change THE city of license of KNYN from Fort Bridger, WY to Woodruff, UT. This proposal is to render first service to Woodruff, UT.

The reference coordinates are the construction permit transmitter site:

41°21'10" North, 111°54'26" West.

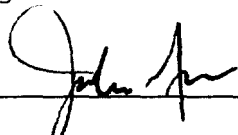
Exhibit A demonstrates that this site meets all spacings as required by §73.207 of the FCC Rules for this class operation. Exhibit B demonstrates that the entire city of Woodruff, UT receives service from the reference coordinates at maximum facilities, as required by §73.315.

According to the 1990 US Census, Woodruff, UT is defined as a town and has a population of 135 persons in 66 households and Fort Bridger is not listed as a town or CDP and therefore not an official community. The Woodruff is located in Rich County with a population of 1,725 and is outside any urbanized area.

Since the reference site is the current authorized constuction permit site, there is no gain or loss in coverage or population. and a showing of reception services has not been submitted. Since KNYN is not yet on the air, there is no actual loss of service to Fort Bridger, WY.

My qualifications are a matter of record with the FCC. The above information and attached exhibits are true and correct according to my knowledge and belief.

June 7, 2000

  
\_\_\_\_\_  
John R. Furr

06-06-2000

John Furr &amp; Associates Inc.

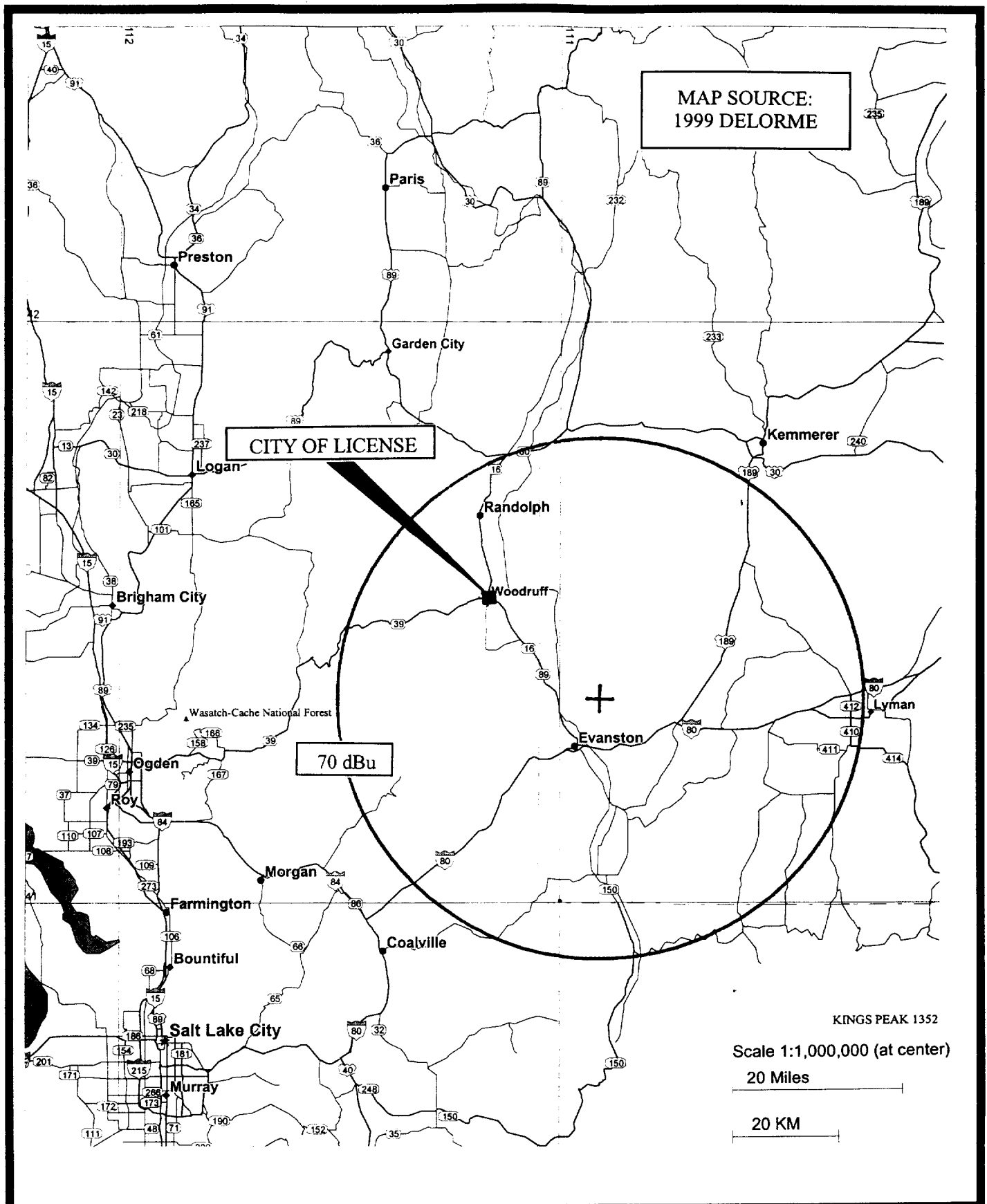
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FM Study for: KNYN  
 Location: FORT BRIDGER, WY  
 [\*] by HAAT indicated assumed as missing in database.  
 Call City, State  
 Status Proponent

FCC Database Date: 5/2000  
 Channel Class: C1  
 Chan Class Freq kW Latitude Dist. Required  
 File Number HAAT Longitude Azm. Clear (km)

>>>>>>> Study For Channel 256 99.1 mHz <<<<<<<<

KNYN	FORT BRIDGER, WY	256 C1	99.1	27.5	41-21-10	0.0	245	
CP	Facility No. 87470	BPH-970703MN	489		110-54-26	0.0	-245.0	SHORT
ALLOCR	FORT BRIDGER, WY	256 C1	99.1		41-21-10	0.0	245	
DEL		RM-9321		0	110-54-26	0.0	-245.0	SHORT
ALLOCR	HYRUM, UT	256 C3	99.1		41-38-35	85.3	211	
ADD		RM-9321		0	111-51-10	292.5	-125.7	SHORT
	Use of 73.215 for short spacing requires:				200		-114.7	SHORT
KUPIFM	IDAHO FALLS, ID	256 C1	99.1	100.	43-32-33	256.2	245	
LIC	Facility No. 55237	BLH-851101KB	176		111-53-04	342.0	+11.2	CLOSE
KBLN	LEVAN, UT	256 A	99.1	6.00	39-33-32	212.6	200	
CP	Facility No. 89181	BPH-971120MD	100		111-46-55	200.7	+12.6	CLOSE
KBEEFM	SALT LAKE CITY, UT	254 C	98.7	40.0	40-36-30	133.9	105	
LIC	Facility No. 53497	BLH-880104KB	881*		112-09-34	232.3	+28.9	CLEAR
KURR	BOUNTIFUL, UT	258 C	99.5	39.0	40-36-29	133.9	105	
LIC	Facility No. 6543	BLH-880311KC	890*		112-09-33	232.3	+28.9	CLEAR
ALLOCR	GREEN RIVER, WY	259 C1	99.7		41-31-36	121.8	82	
ADD		Docket-98-130		0	109-28-06	80.4	+39.8	CLEAR



**JF&A**  
COMMUNICATIONS  
CONSULTANTS

CONTOUR MAP

KNYN  
WOODRUFF, UT  
EXHIBIT B